



THE NORTHWESTERN UNIVERSITY

# Reviewing Stand

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## **Should Yellow Oleomargarine Be Prohibited In Commerce?**

A radio discussion over WGN and the Mutual Broadcasting System

**CHARLES W. HOLMAN**

Secretary, National Cooperative Milk Producers Federation

**W. R. POAGE**

United States Representative from Texas  
Ranking Member, House Agriculture Committee

**Moderator: ROBERT BUCHANAN**

Director, The Reviewing Stand

Broadcast continuously since 1934 by Northwestern University



**THE REVIEWING STAND** is a weekly radio forum presented by Northwestern University. The program was first broadcast by Station WGN, Chicago, October 14, 1934. It has been on the air continuously since that time, originating in the WGN studios, and, since 1935, carried by the stations of the Mutual Broadcasting System. **THE REVIEWING STAND** presents members of the Northwestern University faculty and distinguished guests from business, government, education, and the press in round table discussions of contemporary problems—the questions that are in the news. The program is under the direction of James H. McBurney, Dean of the School of Speech, Northwestern University; Miss Myrtle Stahl, Director of Educational Programs, WGN, Chicago; R. E. Buchanan, Public Relations Director of Radio, Northwestern University; Mrs. Kathryn Johnson, Assistant Director, and Ed Keath, Program Director.

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# Should Yellow Oleomargarine Be Prohibited In Commerce?

MR. BUCHANAN: Should yellow oleomargarine be prohibited in commerce?

MR. HOLMAN: I think it should. It is a very deep problem and goes far beyond the coloration of just one food.

MR. POAGE: I can't agree with that at all. Surely the American people have a right to spend their money to buy any kind of food they want to in any color they want.

ANNOUNCER: Northwestern University, in cooperation with the Mutual Broadcasting System, presents the REVIEWING STAND . . . a program in its fifteenth year on the air.

Today the Reviewing Stand inquires, *Should Yellow Oleomargarine Be Prohibited in Commerce?*

Our unrehearsed, give-and-take discussion will center around current testimony before the House Agriculture Committee concerning the sale of colored oleo in inter-state commerce.

Now, our moderator, Robert Buchanan—director of the Reviewing Stand—will introduce participants in today's discussion. Mr. Buchanan:

## Problem Is Not New

MR. BUCHANAN: In these past few weeks the question of yellow oleomargarine in commerce has come up for direct and heated discussion in Congress. This problem, though, is not new. For years Americans—housewives, legislators, diners, and dairymen—have pondered the question.

Mr. Holman, you say that this problem goes beyond the question of coloration of oleomargarine. Why do you believe that?

MR. HOLMAN: I do. But before I answer that question, let me welcome my good friend, Bob Poage from Texas, and as you know I am also a Texan.

MR. BUCHANAN: Should we play, "The Eyes of Texas Are Upon You?"

MR. HOLMAN: I would like to take Bob out to our good dairy farms in this great Chicago district. Yesterday I talked to 2,000 dairy farmers at a meeting in the Sherman Hotel, and I would like to show you what a really good dairy farm looks like and what the significance of this particular fight would be in case you should win and our dairy farmers should lose.

MR. POAGE: Charlie, you don't mean to say you've got better dairy farms here than down in Texas?

MR. HOLMAN: When it comes to real perfection and efficiency, our group right around this particular section can give almost everybody except the farmers in the Washington D.C. district spades in cards and get away with it.

MR. BUCHANAN: I would like to know just what the significance is that you speak of, Mr. Holman?

## 10 Million on Farms Involved

MR. HOLMAN: First, there are 5 million farmers who milk cows; there are 2½ million farmers who sell a part or all of their cash products in the form of milk or separated cream. That means 10 million people on the farms are involved in this problem.

Now, without going into any of the intricate details of calculations, I hope you will take my word for it that should HR-3—which is the Poage Bill—be used to displace the Granger Bill, which came out of the committee and for which my good friend Bob voted, I am told, you will find \$628,000,000 annual income dispersed as far as the dairy farmers are con-

cerned. I will have a little more to say about that later.

MR. BUCHANAN: I would like to ask you, Mr. Poage—in addition to some questions that come to my mind about your bill and the Granger Bill—you disagree, I take it, with Mr. Holman other than in the facts about the farms here in the Midwest and in Texas?

MR. POAGE: Unfortunately the only thing that Mr. Holman and I agree on is the greatness of Texas.

### Three Groups to be Considered

Certainly I cannot agree with him in either his premise or his conclusion about the effect of this legislation. I think a lot more than the dairy farmers have to be taken into consideration. Of course they are to be taken into consideration, too, but there are *three* groups which must be taken into consideration when we talk about whether we should allow the sale of yellow-colored oleomargarine.

The first group is the dairy farmers. The next group is the cotton and soy bean farmers. And far more important is the tremendous group of American consumers who buy and consume table spreads, and who, I think, should have a right to buy any form of table spread they want in any color they want so long as they spend their own money and know what they are buying.

And that is exactly what HR-3 does. It gives every citizen of America the right to buy any form of table spread he wants in any color he wants, knowing all the time exactly what he is buying.

MR. BUCHANAN: HR-3 is the Poage bill?

MR. POAGE: That's right.

MR. BUCHANAN: You have also mentioned the Granger Bill. Would you bring me up to date on that, Mr. Holman?

MR. HOLMAN: The Granger Bill differs from the Poage bill in that, as it came out of committee, it would prohibit the movement in inter-state com-

merce of oleomargarine colored yellow in imitation of butter. It would permit the full freedom of every state government to regulate oleomargarine as it might please. For example, Texas could have it yellow; Illinois could prohibit yellow. That is the distinction; whereas in the Poage Bill, as I understand it, a certain part of the bill covering the regulation of public eating places thoroughly overrides the rights of the states.

MR. BUCHANAN: Would you agree with that, Mr. Poage?

MR. POAGE: No, I wouldn't agree with that, and I think there ought to be a little explanation about this new bill that has just come on the horizon.

You know, every time we turn around the dairy farmers have a new program. Last year they stated this tax was ruination. This year Mr. Andresen comes in and introduces a bill to remove the tax. Mr. Granger and thirty-two other members copied it.

MR. BUCHANAN: When you speak of the new bill you refer to the Granger Bill?

MR. POAGE: The Andresen Bill was new, too. It was a complete reversal of the position taken by the dairy industry just last year. Just last year they came before our committee and testified that, if we removed the taxes, the dairy industry would be destroyed.

### Taxation and Coloring

They now say, "Take the taxes off because that is all right, but we will now prohibit the sale of yellow margarine." And they first told us during the hearing that we must prohibit the sale of yellow margarine in any fashion throughout the United States, and then, on the last day of the hearings the authors of this legislation said, "We don't want to prohibit this in intra-state commerce. If your state allows sale of colored margarine that is all right."

Then let me call your attention to this other bill because Mr. Holman has mentioned my vote, and I think



this should be clear: That committee voted 13 to 14 against reporting the Poage Bill—that is HR-3. The committee then was called upon to vote, not on the Andresen Bill, which had been the subject of the discussion all along, but—in order to take the curse of Republicanism off a bill in a Democratic Congress—but on the Granger Bill, which was substituted word for word for the Andresen Bill. It was amended to the extent that we struck out all the statement of policy and struck out the provisions that related directly to intra-state commerce, making it comply with what Mr. Holman now says is a proper policy.

### Concerns States Rights

MR. HOLMAN: You know, when you have a choice between an evil and a good, you take the good; but, after all, Bob, you and I grew up in the same state and we believe considerably in states rights. And most folks do, too.

Now it just happens that the committee, in doctoring up the Granger Bill, struck out a paragraph which was a pure declaration of policy of no particular importance as far as the courts are concerned. But it also struck out three lines on page four of the Granger Bill which did put it in harmony with the states rights program.

Now I can, with very good conscience, support the modified Granger Bill. I justified the other bill in my testimony because the United States Supreme Court in a series of decisions ranging from 1934 to date had begun to make it possible for the federal government to overrule the states in matters of control of foods. Now if that is to be the federal policy, if that is New Deal policy or whatever you want to call it, then it would seem fairly ethical to draw laws along that line. And that is what I understand Mr. Granger, Mr. Andresen and their associates did.

MR. BUCHANAN: I am a little confused about the three bills.

MR. HOLMAN: Everybody is confused!

MR. POAGE: The Poage Bill was the first one introduced.

MR. BUCHANAN: We have spoken of the Poage bill as HR-3, and the Andresen Bill came along and was revised into the Granger Bill?

### What's in a Name?

MR. POAGE: It was not revised. The Granger Bill was an identical copy of the Andresen Bill—and so were 31 other bills.

MR. BUCHANAN: We can deal with that situation as one bill, is that agreeable with you, Mr. Holman?

MR. HOLMAN: That's right.

MR. POAGE: The only difference is whether it is called the Andresen Bill or the Granger Bill. The name was changed to Granger to give it a Democratic name in a Democratic Congress. There was no other purpose.

MR. HOLMAN: What Bob wants to say is that the Granger Bill split the Democrats on the House Committee.

MR. POAGE: I wouldn't say it split them. You had every vote that you would have had on the Andresen Bill, or vice versa.

Of course, you hope—and I wouldn't criticize you for it; I would have done the same thing in your place—you hope that by bringing out a bill under a Democratic name you can secure a substantial number of Democratic votes, which I don't believe you can do. I don't believe you can pull the wool over the eyes of the Democrats. Of course, you didn't do it last time, and I don't think you can do it this time.

MR. BUCHANAN: "A rose by any other name . . ."

I would like to deal with this bill, HR-3. What does your bill provide, Mr. Poage?

MR. POAGE: My bill removes all the taxes and license fees that are now imposed on margarine manufacturers,

wholesalers, and retailers. These complications do a great deal more to restrict the sale of margarine than do the taxes on the actual product. When you sell margarine, you now have to make reports almost as if you were selling dope. My bill and the Granger Bill both remove all those taxes and all those restrictions.

My bill then goes one step further and provides—of course you then have the right to sell yellow margarine in any state in the Union unless there is some state law to the contrary—my bill then provides that, if you are going to sell yellow margarine, you must identify it as such. That, of course, is the thing that *logically* the dairy interests would not want done, because for some 50 years they have sold colored butter without identifying it as containing artificial coloring. Butter, cheese, and ice cream are the only three food products now sold in the United States with artificial coloring without identification. So it would be perfectly natural that the butter people suggest that we go along and sell colored margarine without any identification.

### Identification Is Important

But those of us who believe in knowing what we are buying believe that it is perfectly proper that yellow margarine should be identified as such. In the Poage Bill we require this identification.

MR. HOLMAN: And why do we want to prohibit oleomargarine colored yellow in imitation of butter? Because the only reason the manufacturers want to color it yellow is to imitate butter. They already are allowed to put butter flavoring in. They also are allowed to put in benzoate of soda to keep the margarine from going rancid on the shelves.

But when it comes to the artificial coloration of butter the Congress, in its wisdom many years ago, recognized the fact that all butter at every month in the year exceeds the present federal definition of yellow-colored butter. Therefore, we are not trying to imi-

tate anything but butter. Oleomargarine, however, is trying to imitate and as I said, we don't try to imitate butter, something different from the actual product sold.

MR. BUCHANAN: Now I see three separate divisions of argument.

First, taxation; and second, states rights and state or federal restriction on sale of oleomargarine; and third, identification.

MR. BUCHANAN: Let's start with identification.

### Why Color Butter?

MR. POAGE: Mr. Holman has suggested you don't color butter to make it look like butter. I don't know what you color it for. He colors butter to deceive the public, else he wouldn't color it because nature has provided that butter made in the summertime when the cows are eating green grass and their milk contains a high degree of vitamins has a high yellow color. But the butter produced in the wintertime when the cows are eating dry feed, and when there is very little vitamin content naturally is a white color. The purpose of coloring that butter is not to make it look yellow, but to make it look like summer butter, to make it look like it had the vitamins in it.

MR. HOLMAN: It is only for purposes of standardization! And there are only a few sections of the country where the feeding practices include the dry feeds such as Mr. Poage describes.

We have only recently conducted experiments in Wisconsin in which it was shown that, in every month of the year, not only was the vitamin content up around 11 or 12,000 units per pound, but also the butter was colored very decidedly yellow during that period. And as one of the witnesses before the committee from the chairman's state, North Carolina, testified, there they didn't have to use any coloration at all. In fact, there is only a small amount of coloring ever used. But Congress has legalized it;



and as I said, we don't try to imitate oleomargarine. Oleomargarine tries to imitate butter.

MR. POAGE: Now, then, Mr. Holman says he doesn't try to deceive the public on anything, that even in Wisconsin butter produced from a silage feed showed about 11,000 units of vitamins per pound; whereas your summertime butter showed 19,000 units of vitamins per pound. And when you try to sell somebody something that looks as though it had 19,000 units in it when it only has 11,000, and don't tell the public *what* it has, that, it seems to me, is deception.

### How Much Vitamin Content?

Now margarine is fortified with vitamins. It says on the package just exactly how much vitamin content it has. Margarine is standardized. And, frankly, I think there are some margarine manufacturers who would hate terribly to have somebody palm off some of this butter that comes in and say that it was their grade of margarine.

MR. HOLMAN: The Federal Food and Drug Act requires only 9,000 units of vitamin A, and that is provided for from the cheapest fish liver known as shark's liver. Now I am not saying anything against shark's liver, because it probably is as good as any other liver. But the standard is only 9,000 units per pound. Butter will average about 15,000 units throughout the year.

But I don't think this issue is nutritional at all. I think the issue is predominantly economic. First, you will have a loss in the next three or four years of 2,000,000 dairy cows. They will come primarily from this great middle western section, where separated cream is made into butter. Then you will have the creameries closed down. And there is no way in many parts of the country, such as parts of Iowa and Nebraska and Kansas, where you can divert milk as you can in the regions around Chicago.

Then, the prices of cheese will go down. And the price of evaporated milk will go down. And finally, you will have your lower prices in all fluid milk.

MR. POAGE: Let's see how you are going to do this . . .

MR. HOLMAN: Mind you, that is temporary.

MR. POAGE: You are just assuming what is going to happen to these people, because you haven't shown us that there is a thing in the world actually going to happen. In fact, you first assume that oleomargarine is going to displace butter by some great amount. It never has displaced butter in any country in the world. All the countries of Europe allow the sale of yellow margarine, and the Netherlands, as early as 1946, immediately after the war, consumed more butter per capita than did the United States; and also consumed 15 pounds of margarine per capita, whereas we were consuming only 4 pounds. The same year Belgium consumed 14 pounds of butter per capita, and 16 pounds of margarine per capita. That total is about twice as much as the United States consumed.

### Are Sales in Proportion

The sale of margarine has never reduced your sale of milk. As a matter of fact, I want to show you what has happened in price. Take Iowa and Missouri—they are close together. In the state of Iowa last year you got 82 cents a pound for your butter fat. In the state of Missouri, adjoining it, you got 90 cents. In the state of Iowa you have a law that prohibits yellow margarine; in the state of Missouri you have no such law. That is true right down the line.

In South Dakota, where you have a prohibition against the sale of yellow margarine, you got 74 cents a pound for butter fat. In Nebraska, an adjoining state which prohibits the sale of yellow margarine only in public eating places, you got 79 cents a pound for butter fat; and in Kansas, which

doesn't prohibit the sale of yellow margarine, you got 83 cents a pound for butter fat.

MR. HOLMAN: I don't know what the source of your figures is, but . . .

MR. POAGE: The source of the figures is the United States Bureau of Agricultural Economics Bulletin, *Farm Production, Disposition and Income from Milk*.

MR. HOLMAN: The price of butter fat is governed by the various and widely-separated markets for butter. I can see no relation at all between the buying prices of centralized territories—and you only mentioned centralized territories—and the existence of state laws anyway.

And I think you are a little bit wrong on some of your European figures. For example, I have right here before me the fact that in Belgium before the war oleomargarine consumption was only 15 per cent smaller than the butter consumption.

MR. POAGE: That is right. But they were both more than 16 pounds per capita in Belgium before the war.

MR. HOLMAN: And in Denmark oleomargarine consumption was  $2\frac{1}{2}$  times as large as butter.

MR. POAGE: That is right. But they are selling more butter per capita in Denmark than in the United States.

MR. HOLMAN: Of course you know they eat five meals a day there.

MR. POAGE: That's right.

MR. HOLMAN: They eat more than we do.

MR. POAGE: Why are you kicking about someone else selling something when it doesn't hurt your market?

### Use of Oleo Increasing

MR. HOLMAN: I can show you in the last ten years where the use of oleomargarine in America has increased from 300,000,000 to 902,000,000 pounds while the per capita consumption of butter has gone down.

Now I will say further, based upon

this same record, that, should the Poage Bill go through, the present position of oleomargarine and butter will be reversed. Whereas today you have 900,000,000 pounds of oleomargarine produced, in a very few years you will have a billion and a half pounds produced; and the production of butter will go down to 900,000,000 pounds.

We think we know what we are talking about when we make these statements. There are good methods of forecasting . . . good ways of knowing where we are going.

### Reduction of Milk or Cows?

And then you will have the final situation. First, reduction of the number of cows; second the reduction of the income of the dairy farmer; thirdly the reduction of the buying power of the dairy farmers, the reduction of the buying power of the small towns and of the small cities. And finally you will have the reaction of scarcity to such a point that butter becomes a luxury product. I would hate to see this come about in America.

MR. POAGE: While you are talking about *knowing* all about what is going to happen, I want to call your attention to what *has* happened in that ten years in which you say butter production has gone down. The production of milk has increased tremendously during that ten years, and the income of the farmer from milk has increased approximately three times during that very period in which you say butter production has gone down.

Your cow population has dropped only 150,000 over the whole nation from 1939—you are talking about the past ten years. In 1939 there were 24,600,000 dairy cattle in the United States, and as of January there were 24,450,000. So you've had no major reduction in the number of cows. You have simply found it more profitable to sell fluid milk than you have found it to sell butter.

MR. HOLMAN: There has been a decline of more than four million pounds and . . .



MR. POAGE: And let me give you that ten-year period you talked about. The total production of milk in this country has increased during that ten-year period from . . .

MR. HOLMAN: One hundred sixteen to 121 billion pounds, and then it went down.

MR. POAGE: That's right. It went down just about 100 million pounds.

MR. HOLMAN: But we are on a basis of an increasing population, so relatively the decrease is rather serious for the nation.

MR. BUCHANAN: I think there is another problem that we have skipped over, the matter of taxation. What is the position of the dairymen on that question?

MR. HOLMAN: There is no difference between the Poage Bill and the Granger Bill on the question of federal taxes, nor is there any difference between the Poage Bill and the Granger Bill as reported on the question of the occupational taxes for the manufacturer or the wholesaler or retailer or the making of reports.

### Change in Position?

These are the fundamental differences in the two bills: the Poage Bill has a little control over public eating places and the Granger Bill has control over the transportation agencies with regard to yellow margarine.

MR. POAGE: Of course there is a difference between the Poage Bill and the Granger Bill. The Poage Bill does wipe out all of the taxes. The Granger Bill now has accepted the position of the Poage Bill, but it is in direct conflict with what Mr. Granger and Mr. Andresen had wanted to be the law a few weeks ago. They both changed

their position. We are staying with the position we had for a good long time.

MR. BUCHANAN: You gentlemen have covered the salient points in the discussion, including taxation, states rights or a national law, identification, and the general economics involved.

You, Mr. Holman, answer our question with an emphatic "yes" because you believe that the problem concerns imitation and fraud, as you say, and that yellow oleo in commerce is not fair to the dairy farmer and will wreck the dairy industry.

### 'Buy What You Wish'

You, on the other hand, Congressman Poage, believe that we should allow yellow oleo because, you say, any American has the right to buy anything he wishes in any form as long as he is informed what he is buying and this problem directly concerns the right of free enterprise.

ANNOUNCER: Thank you, gentlemen.

Now, our moderator, Robert Buchanan, will tell you about next week's program.

MR. BUCHANAN: Next week the Reviewing Stand concerns itself with the problems created by our ever-increasing life span and asks, *What Can We Do About Old Age?* Our guests will be Doctor Smith Freeman, professor of experimental medicine at Northwestern University; Miss Martha Phillips, regional representative for public assistance, Social Security Administration; and Professor Kimball Young, chairman of the department of sociology at Northwestern University. We invite you to listen next week for . . . *What Can We Do About Old Age?*

## Suggested Readings



Compiled by Laura R. Joost, Assistant,  
Reference Department, Deering  
Library, Northwestern University



U.S. Congress. 81st Congress, 1st Session. House of Representatives. HR-3 (some copies available through Congressmen).

A bill to repeal taxes on oleomargarine, introduced into the House of Representatives by Mr. Poage on Jan. 3, 1949.

U.S. Congress. 81st Congress, 1st Session. Senate. S-117. (some copies available through Congressmen).

Companion bill to HR-3 introduced into the Senate on Jan. 5, 1949 by Mr. Maybank.

U.S. Senate. Committee on Finance. 80th Congress, 2nd Session. "Oleomargarine Tax Repeal." Hearings, May 17-18, 1948, on HR-2245. Washington, D.C., U.S. Supt. of Docs., 1948.

Hearings before the Senate Committee on Finance on the repeal of taxes on oleomargarine.

*Advance* 34:10, May, '48. "Margarine or Butter, Which is Better?"

Comparison of margarine and butter as to food value, cost, and taste.

*Business Week* p34+, May 15, '48. "Oleo Aftermath; Dairy Industry Seeks New Price Formulas."

Expected effects of repeal of taxes on oleomargarine on prices of ingredients of margarine, milk, butter, and of oleo itself.

*Collier's* 121:74, Feb. 21, '48. "Mr. Mitchell Rates a Hurray."

Backing legislation for repeal of oleomargarine taxes, Mr. Mitchell is fighting for the consumer's right to buy a cheap, safe, edible fat as easily as he can buy butter.

*Forum* 109:364-80, June, '48. "Congress Debates Oleo Taxes."

Excerpts from the *Congressional Record*, House debates on oleomargarine taxes.

*New Republic* 118:31, Jan. 5, '48. "Butter's Had Its Day." A. McDONALD.

Facts regarding the comparative food value and cost of oleomargarine and butter with the prediction that although organized dairymen may be expected to fight for anti-oleomargarine legislation, the day will probably come soon when "butter's had its day."



*Readers' Digest* 50:27-9, May, '47. "Must This Food Be Taxed Off Our Tables?"  
S. SHULSKY.

Giving a short history of the use of oleomargarine and taxation (on both the colored and uncolored product) preventing widespread use, this discussion suggests that now is the time to remove such taxation so that Americans can get table fats in the amounts needed for proper nutrition.

*Science News Letter* 53:108, Feb. 14, '48. "Butter Versus Margarine."

The results of a study to discover whether there is a growth factor in butter which is not present in margarine indicate that margarine is a good source of table fat for growing children.

*U.S. News* 24:56, May 7, '48. "If Margarine Tax is Repealed."

Predictions as to the effect on sales of margarine and on the butter market if the margarine tax is repealed.

*Survey* 84:249, Aug., '48. "Among the States."

News from the states regarding recent legislation lifting bans on the sale of yellow margarine.

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**SHOULD WE CHANGE OUR ECONOMIC  
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| 14. The Berlin Crisis.                                | 26. What's Ahead for Congress in 1949?              |
| 15. How Important Is the Electoral College?           |   |

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|--|--|
| 1. Un-American Investigations—Red Herring or Needed Service? | 5. Should Our Government Provide Medical Care? |
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| 3. What Is America Reading?                                  | 7. Our Housing Problem—Building.               |
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